GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PS – PR&RD – Allegation of non implementation of Hon'ble High Court orders dated 25.01.2022 in W.P.No.1717/2022 fled by Sri Putchanuthala Gopinath R/o Tarlupadu Mandal, Prakasam District - Sri Y. Ramesh, EE, PRI Division, Markapur, Prakasam District failed to take action on the orders of Hon'ble High Court and the higher authorities, resulting in Form-I notice issued in C.C.No.942/2022 - Legal complications – Disciplinary proceedings under Rule 20 of APCS (CC&A) Rules, 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-II) DEPARTMENT

G.O.Rt.No. 396 **Dated:23 -04-2022**

Read

ORDER:

It is proposed to hold an inquiry against Sri Y. Ramesh, EE, PRI Division, Markapur, Prakasam District in accordance with the procedure laid down in Rule-20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Y. Ramesh, EE, PRI Division, Markapur, Prakasam District is directed to submit his written statement of defence within (10) days of the receipt of this order.

4. Sri Y. Ramesh, EE, PRI Division, Markapur, Prakasam District is informed that an enquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri Y. Ramesh, EE, PRI Division, Markapur, Prakasam District is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services(Classification, Control & Appeal) Rules, 1991 or the orders/ directions issued in pursuance of the said rules, the competent disciplinary authority may hold the inquiry against him ex-parte, based on the material available on record.

6. Sri Y. Ramesh, EE, PRI Division, Markapur, Prakasam District is invited to Rule-24 of the APCS(Conduct)Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a

P.T.O

representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of APCS(Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Y. Ramesh, EE, PRI Division, Markapur, Prakasam District
(through the Engineer-in-Chief, Panchayat Raj, A.P.,Vijayawada).
The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada
(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:
The PR & RD (Estt-I) Department.
SF/SC

//FORWARDED::BY::ORDER//

V. Suryakumari
SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST Sri Y. Ramesh, EE, PRI Division, Markapur, Prakasam District:

-:0:-

CHARGE:

That Sri Y. Ramesh, EE, PRI Division, Markapur, Prakasam District has not taken any action to implement the orders of Hon'ble High Court of AP dated 25.01.2022 in W.P.No.1717/2022 fled by Sri Putchanuthala Gopinath R/o Tarlupadu Mandal, Prakasam District, and failed to take pursuant action thereon, not acted properly for fling Review/Appeal petition before the Hon'ble High Court of AP., and shown deliberate negligence for uploading bills, failed to discharging duties properly, failed to pursue the matter with the concerned to resolve the problem arising therein, resulting in severe legal complications arising in issuing Form-I notice in CCNo.942/2022 in W.P.No.1717/2022 to the respondents by the Hon'ble High Court of AP.

Thus, Sri Y. Ramesh, EE, PRI Division, Markapur, Prakasam District showed his disobedience of the orders issued by the higher authorities and gross negligence in attending his legitimate duties and acted in contravention of Rule 3 of APCS (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

V. Surya Kumar
SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST Sri Y. Ramesh, EE, PRI Division, Markapur, Prakasam District .

Basis:

1. The Hon'ble High Court of AP in their orders dated 25.01.2022 in W.P.No.1717/2022 held that the present writ petition is squarely covered by the order of this Court in Rayapureddy Srinivasa Rao and others Vs. Govt. of Andhra Pradesh, rep. by its Principal Secretary to Government and others and batch in which the writ petitions were allowed. Against the above said order, several writ appeals are fled and in one of the writ appeals (i.e) W.A.No.724 of 2021, a Division Bench of this Court has passed an interim order, dated 18.11.2021.

2. Subsequently, a Division Bench of Hon'ble Court having considered the order passed in W.A.No.724 of 2021 and passed orders. Accordingly, the writ petition is disposed of with the following direction:

   "The Respondents shall pay the principal amount of the bill raised by the writ petitioner within a period of four (4) weeks".

3. For not implementing the said orders of Hon'ble High Court of AP, the petitioner has approached the Hon'ble High Court for fling C.C.No.942/2022 praying the Hon'ble High Court for disobedience of orders of Hon'ble High Court.

4. During the course of C.C.No.942/2022, the Hon'ble High Court have issued Form-I notice on 16.06.2022 to the respondents, thereby leading several legal complications, which shows his disobedience of the orders issued by the Hon'ble Court and higher authorities.

Thus the Government Servant Sri Y. Ramesh, EE, PRI Division, Guntur failed to obey the orders of the Hon'ble Court and higher authorities and gross negligence on his legitimate duties and delayed in implementation of the Hon'ble High Court orders due to which Form-I notice in Contempt Case No.942/2022 has been received on 16.06.2022 from the Hon'ble High Court, leading several legal complications. Thus by the above mentioned acts, he failed to maintain absolute integrity, devotion to the duty and conduct unbecoming of a Government Servant and there by contravened the Rule 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

Hence, the charge.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

V. Surya Kumar
SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST Sri Y. Ramesh, EE, PRI Division, Markapur, Prakasam District ARE PROPOSED TO BE SUSTAINED:

1. High Court of A.P orders dated 25.01.2022 in W.P.No.1717/2022 fled by Sri Putchanuthala Gopinath R/o Tarlupadu Mandal, Prakasam District.
2. Contempt Case No.942/2022 in which Form-I notice issued on 16.06.2022.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

V. Suryakumar
SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGE AGAINST Sri Y. Ramesh, EE, PRI Division, Markapur, Prakasam DistrictIS PROPOSED TO BE SUSTAINED :

- Nil –

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

V. Suryakumar
SECTION OFFICER